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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 FREDERICK JOHN RIZZOLO,

14 Defendant.
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) Case No. 2:14-cr-00232-GMN-NJK
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ORDER

16 Pending before the Court is Defendant's motion to dismiss, filed on November 25, 2015. Docket
17 No. 45. Since the motion was filed, the United States and Defendant have submitted numerous
18 stipulations to extend the deadline for the response and reply to the motion, each time submitting that
19 the parties were attempting to negotiate the resolution of the case, which would obviate the need for the
20 resolution of the motion to dismiss. *See, e.g.*, Docket Nos. 53, 57, 59, 64, 73, 79, 85, 98.

21 Most recently, the Court granted in part the parties' ninth stipulation to extend the time for
22 Defendant to file his reply, until May 1, 2017. Docket No. 101. *See also* Docket No. 100. Nonetheless,
23 Defendant failed to file a reply to the motion to dismiss on May 1, 2017. *See* Docket. Chief Judge
24 Navarro has set a firm trial date in this matter for July 10, 2017. Docket No. 97 at 5. The Court cannot
25 discern from the current filings whether the parties have negotiated the resolution of the case or whether
26 they intend to proceed to trial in July.

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1 Accordingly, no later than May 3, 2017, the parties shall file a notice on the docket as to whether
2 they have successfully negotiated the resolution of the instant case, or whether they intend to proceed
3 with the motion to dismiss.

4 IT IS SO ORDERED.

5 DATED: May 2, 2017.

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10 NANCY J. KOPPE
11 United States Magistrate Judge
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